

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
UMB BANK, N.A.,

Plaintiff,

-v-

BRISTOL-MYERS SQUIBB COMPANY et al.,

Defendants.
-----X

24-CV-8668 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

On January 14, 2025, Defendants filed motions to dismiss the complaint under Rule 12(b) of the Federal Rules of Civil Procedure. Under Rule 15(a)(1)(B), a plaintiff has twenty-one (21) days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.

Accordingly, it is hereby ORDERED that, notwithstanding the briefing schedule adopted on December 4, 2024, ECF No. 28, Plaintiff shall file any amended complaint by **February 4, 2025**. Pursuant to Local Civil Rule 15.1, available at <https://www.nysd.uscourts.gov/rules>, any amended complaint should be filed with a redline showing all differences between the original and revised filings. Plaintiff will not be given any further opportunity to amend the complaint to address issues raised by the motion to dismiss.

If Plaintiff does amend, by three (3) weeks after the amended complaint is filed, each Defendant shall: (1) file an answer; (2) file a new motion to dismiss; or (3) file a letter on ECF stating that it relies on the previously filed motion to dismiss. If any Defendant files an answer or a new motion to dismiss, the Court will deny its previously filed motion to dismiss as moot. If any Defendant files a new motion to dismiss or indicates that it relies on its previously filed motion to dismiss, any opposition shall be filed as a single, consolidated brief within **six weeks**, and any replies shall be filed within **three weeks** of any opposition.

If no amended complaint is filed, the existing briefing schedule shall remain in effect, pursuant to which Plaintiff shall file any opposition to the motion to dismiss as a single, consolidated brief by **February 28, 2025**, and Defendants shall file any replies by **March 21, 2025**. See ECF No. 28.

SO ORDERED.

Dated: January 15, 2025
New York, New York

JESSE M. FURMAN
United States District Judge